

REMARKS

I. INTRODUCTION

Claims 1-16 are pending in the present application. Claims 1, 9, 11, 13 and 15 have been amended. No new matter has been added. Reconsideration, in view of the following remarks, is requested.

II. REJECTION OF CLAIMS 1 AND 4-16 UNDER 35 U.S.C. § 103

Claims 1 and 4-16 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,591,296 to Ghanime (the “Ghanime patent”) in view of U.S. Patent No. 6,477,667 to Levi et al. (the “Levi patent”). It is respectfully submitted that none of claims 1 and 4-16 is obvious over the Ghanime patent in view of the Levi patent, for at least the following reasons.

In accordance with the present invention, an industrial controller is provided in such a way that information having optimum correspondence to a respective alarm or message can be allocated for maintenance and operating personnel. It is possible, for example, for define for each alarm or message, which recipient is to be notified about the alarm or message, using, e.g., SMS or email, and which information is to be provided. This is realised in that a table function is stored, e.g., in a converter U, as shown in Fig. 1, which determines for each alarm or message, which particular persons and/or sites are to be informed and what information is to be supplied to them.

Accordingly, claim 1 recites, for example:

An industrial controller for a machine tool, a robot and/or a production machine, ***comprising:***

a converter which associates predefined operating states, of the machine tool, robot and/or production machine, on an individual operating-state basis to respective messages and/or alarms so that, if one of the predefined operating states is present, an SMS message and/or an e-mail about the one of the predefined operating states is sent to a predefined distribution group; and

a table which associates each of the predefined operating states with: i) a respective distribution group to whom the SMS message and/or email message is to be sent, and ii) information identifying particular information to be included in the SMS message and/or email message,

wherein after one of the predefined operating states is detected, the respective message and/or alarm associated with the one of the predefined operating states is sent via the SMS message and/or e-mail to the respective distribution group associated with the detected predefined operating state, the respective message and/or alarm including the particular information identified by the information associated with the detected predefined operating state.

The Examiner admits that the Ghanime patent fails to disclose Applicant's “table” recited in claim 1, and instead relies on the Levi patent. The Levi patent, however, does not associate each of a number of predefined operating states with a respective

distribution group. In the Levi patent, as shown in Fig. 6 and described at col. 14, line 11 to column 15, line 38, an operations center 12 monitors a number of devices 30a the Internet 34. If the device 30 is faulty, the device will generate an alarm and transmit it via the Internet to the operations center 12 -- which is always the same operations center 12. Within the framework of a listening process 362 and a notification process 84 as well as an SQL database, the alarm message will be assigned in operations center 12 to a person 32 to be informed, and the person to be informed is notified by mail, for instance. Thus, in the Levi patent, any "table" is stored in the operations center. In sharp contrast, claim 1, for example, recites that *the controller* for the machine tool/robot/industrial machine *includes the table*. Thus, in accordance with the present invention, no operations center is necessary. In view of Levi's table in a remote operations center, it would not be obvious to include a table in a controller for a machine tool/robot/industrial machine.

Moreover, Levi also does not disclose or suggest that a table associates individual *operating states* (of a machine tool/robot/production machine) with a distribution group. In the Levi patent, the same person(s) is(are) notified if any fault occurs.

For at least the foregoing reasons, it is submitted that neither the Ghanime patent nor the Levi patent, alone or combined, renders claim 1 obvious. Similar arguments apply to claims 9, 11, 13 and 15. Each of claims 4-8, 10, 12, 14 and 16, depend from one of claims 1, 9, 11, 13 and 15; accordingly, the same arguments apply to these claims as well.

In view of the foregoing, the rejections of claims 1 and 4-16 should be withdrawn.

III. REJECTION OF CLAIMS 2 AND 3 UNDER 35 U.S.C. § 103

Claims 2 and 3 stand rejected under 35 U.S.C. § 103 as being obvious over the Ghanime patent in view of the Levi patent and U.S. Patent No. 6,065,136 to Kuwabara (the "Kuwabara patent"). It is respectfully submitted that neither claim 2 nor claim 3 is obvious over the Ghanime patent in view of the Levi patent and the Kuwabara patent, for at least the following reasons.

As an initial matter, claims 2 and 3 depend from claim 1. Accordingly, the arguments presented above in connection with claim 1 and the Ghanime patent and the Sandelman patent apply equally to claims 2 and 3. The Kuwabara patent does not cure the deficiencies of the Ghanime patent and the Sandelman patent.

Moreover, claim 2 recites that the e-mail has a file attached to it (claim 3 depends from claim 2). As regards this feature, the Examiner apparently relies on col. 5:15-18 and 20-23 of the Kuwabara patent. Respectfully, these sections of the Kuwabara patent do not appear describe a file attached to an email. These sections appear to describe that information stored in the diagnostic data memory, and trouble and image data from image memory 14g are be stored in e-mail memory 14c. Respectfully, it appears that the

information in e-mail memory 14c is provided in the body of an e-mail message. In particular, it appears that a special diagnostic program is used to read this information when the email message is retrieved. See, e.g., col.5:42-46.

In view of the foregoing, it is respectfully submitted that the Ghanime patent in view of the Levi patent and the Kuwabara patent does not render obvious either of claims 2 or 3. Withdrawal of the rejection of claims 2 and 3 is therefore requested.

IV. CONCLUSION

In light of the foregoing, Applicant respectfully submits that all of the pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited. The Examiner is invited to contact Applicant's representative, Michelle Carniaux at 212-908-6036 for any issues still outstanding in this application.

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Respectfully submitted,

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